



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2000/SR.3  
14 June 2000

ENGLISH  
Original: FRENCH

---

COMMISSION ON HUMAN RIGHTS

Fifty-sixth session

SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,  
on Tuesday, 21 March 2000, at 3 p.m.

Chairperson: Mr. SIMKHADA (Nepal)

CONTENTS

STATEMENT BY MR. JAIME GAMA, MINISTER FOR FOREIGN AFFAIRS OF  
PORTUGAL

STATEMENT BY MR. JERZY KRANZ, DEPUTY MINISTER FOR FOREIGN AFFAIRS OF  
POLAND

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.00-11755 (E)

CONTENTS (continued)

STATEMENT BY MR. DIMITRIJ RUPEL, MINISTER FOR FOREIGN AFFAIRS OF THE  
REPUBLIC OF SLOVENIA

STATEMENT BY MR. JAN KAVAN, MINISTER FOR FOREIGN AFFAIRS OF THE  
CZECH REPUBLIC

REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS  
AND FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS

The meeting was called to order at 3.35 p.m.

STATEMENT BY MR. JAIME GAMA, MINISTER FOR FOREIGN AFFAIRS OF PORTUGAL

1. Mr. GAMA (Portugal), speaking on behalf of the European Union and the Central and Eastern European countries associated with the European Union, or Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, and the associated countries of Cyprus, Malta and Turkey, stressed the importance of human rights in modern foreign policy and the need to enforce them, irrespective of place, ethnic origin, gender, religion or belief. It was therefore the duty of the international community to intervene whenever and wherever human rights violations occurred and to call on the States concerned to end the violations and bring the perpetrators to justice. It should also be noted that human rights were not only universal, but also indivisible and interdependent, and that civil and political rights could not be separated from economic, social and cultural rights. To achieve progress in the area of human rights, it was necessary to redefine and deepen approaches. The European Union was currently drafting a European Charter of Human Rights, through which it sought to establish a comprehensive code of common values in order better to protect those living in European Union countries.
2. It was also necessary to draw positive aspects from the new challenges to the implementation of human rights which surfaced almost continually. Without denying the dangers inherent in globalization, he believed that thought should be given to globalization's potential for improving the quality of life worldwide and for leading to a more viable society where people were more aware of their rights and exercised them fully.
3. Protection of the individual was at the centre of the European Union's policies. It therefore believed that the abolition of the death penalty contributed to the enhancement of human dignity and the progressive development of human rights, and it continued to strive for universal abolition, or at least a moratorium on executions. However, human rights problems should not be exclusive to the State structure. Governments must work in cooperation with civil society and with human rights NGOs in particular, whose freedom of movement and expression should not be hindered in any way. The continuous dialogue with NGOs had made it possible to increase transparency in the human rights activities of Governments in the European Union countries. For that reason the Union had in 1999 published its first annual report on human rights. Aware that the human rights situation in its member States was not perfect, the Union sought to improve its human rights mechanisms in order to avoid cases where human dignity might be endangered.
4. The European Union also continued to be actively involved in the review processes of the Copenhagen World Summit for Social Development and the Beijing World Conference on Women, and in the European preparatory process for the World Conference on Racism. It was convinced that the defence of the principle of non-discrimination should be at the core of every country's human rights policy.

5. Since the previous session of the Commission, certain particular situations had been under close review by the European Union, one being the situation in East Timor. The Union had taken note of the recommendations of the international commission of inquiry and the Indonesian Commission of Inquiry, and fervently hoped that those responsible for human rights violations would be brought to justice. It remained concerned at the situation of refugees and displaced persons in West Timor, and strongly encouraged the international community to continue its involvement in the creation of conditions for their safe return. The European Union was alarmed by reports from Chechnya; it stressed the importance of an international presence in that region and urged the Russian authorities to comply with their commitments and begin transparent investigations into alleged human rights violations. Finally, while acknowledging progress in the economic sphere in China, it remained concerned at the lack of progress in the area of human rights, in particular the use of the death penalty, restrictions on fundamental freedoms, harsh sentences imposed on political dissidents, persecution of religious minorities and insufficient cooperation with United Nations human rights mechanisms.

6. If the Commission wished to fulfil its mission, it was essential to improve and rationalize the functioning of its mechanisms. The report of the inter-sessional open-ended working group on enhancing the effectiveness of the mechanisms of the Commission on Human Rights offered a compromise solution which should help achieve more effective treatment of human rights issues. He hoped that the fifty-sixth session of the Commission would produce concrete results leading to a real improvement in the human rights situation throughout the world.

STATEMENT BY MR. JERZY KRANZ, DEPUTY MINISTER FOR FOREIGN AFFAIRS OF POLAND

7. Mr. KRANZ (Poland) noted that international relations were based, not on State sovereignty, but on the equality of sovereign States proclaimed by international law. Acceptance of international law was therefore an essential aspect of protection of the sovereignty of all States, rather than a threat to a State's sovereignty. The principle of sovereignty could in no way justify violations of the norms of international law which bound a State.

8. Another function of international law was to protect the common values of humanity, including fundamental human rights, against attacks by the State. Treaties on the promotion and protection of human rights were concluded not only to bind States, but especially to bring an influence to bear on the exercise of national competence and in so doing strengthen the citizen's position vis-à-vis the State. A well-established principle of international law was the principle that a State could not use its domestic law to avoid its obligations under international law. Examining the human rights situation in a country and making appeals to respect human rights therefore did not constitute interference in the domestic affairs of the country in question. Poland was grateful to the international community for having made such appeals in the past, which had helped place it on the path to democracy. In reality, the idea that any attempt to influence the situation in a country represented interference served, ironically, to make international policy and international law into instruments of illegality.

9. Tolerating human rights violations meant admitting that international law had absolutely no social or moral basis. Political action consisted of preparing objectives and programmes based on social choices. It was an ongoing choice between the possible and the desirable, between the good and the less good. That dilemma also applied to the implementation of international law and the promotion and defence of human rights, including the activities of the Commission on Human Rights. The international community's indulgence towards the perpetrators of human rights violations was in fact a poorly-concealed insult towards the victims, which was unacceptable. Pressure by the international community for greater respect for human rights should be seen as an effort to protect the weakest, namely the victims.

10. The past year had been marked by events which called for an examination of the effectiveness of the human rights protection mechanisms. The long-term success of the operation in Kosovo would depend on the establishment of an effective administration and a multi-ethnic society, which was a challenge for the international community as well as the Serbs and Albanians. The Kosovo operation also showed that the international community was ill at ease with that type of situation, which was not made easier by the legal and political uncertainties. Events in East Timor had only confirmed the uncertainties in question, although prompt action by the international community had put an end to the atrocities. However, Russian military action in Chechnya left the international community at a loss in the face of human rights violations which should be unequivocally condemned. Apart from its legal aspects, the situation in Chechnya was dangerous for the future of democracy in Russia. However, no political solution to the conflict appeared to be emerging.

11. Poland, where democracy had been established for 11 years, was determined to promote and defend human rights out of solidarity towards the people of other countries, for it had experience of an autocratic regime. It would be holding an international conference in June which should enable new and old democracies to exchange their experience. He hoped that such conferences would one day no longer be necessary.

STATEMENT BY MR. DIMITRIJ RUPEL, MINISTER FOR FOREIGN AFFAIRS OF THE REPUBLIC OF SLOVENIA

12. Mr. RUPEL (Slovenia) said that the present-day situation regarding human rights was in no way encouraging. Serious human rights violations continued to occur in different parts of the world, in particular in the context of conflicts, as in Kosovo, East Timor and Chechnya. In all such cases alleged violations should be investigated with a view to bringing those responsible to justice. The situation in Kosovo and in the Federal Republic of Yugoslavia (Serbia and Montenegro) continued to be of concern, and it was clear that improvement of inter-ethnic relations lay at the heart of stabilization efforts for that troubled region. Slovenia very much hoped that the Conference on Inter-Ethnic Relations and National Minorities in south-eastern Europe, organized within the Stability Pact framework, which it had recently hosted, would be followed by specific activities aimed at improving relations. That process could also provide a valuable contribution to the World Conference against Racism. Slovenia warmly welcomed the establishment in Croatia of a new Government which had expressed a strong commitment to respect human rights, and accordingly believed that Croatia should not be retained in the mandate of the Special Rapporteur on the situation of human rights in that region.

13. The universality of human rights and fundamental freedoms had become obvious to all. One concept in particular reflected the need to put the individual at the centre of the international community's efforts to end violations of human rights and international humanitarian law: the concept of human security. The problem of small arms and light weapons should be addressed in that context. Slovenia hoped that a clear set of recommendations would be adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Aspects, and would support efforts to formulate an action plan containing effective measures for the prevention and reduction of the problem of small arms. Another means of ensuring human security was to engage non-State actors, who played a role in many intra-State conflicts, to respect human rights and the rules of humanitarian law, in order to protect defenceless civilian populations. Slovenia accordingly supported the elaboration of international standards on the subject. He also wished to highlight the invaluable role of the NGOs, acting both nationally and internationally, which often helped Governments to move forward on issues and which had played a pivotal role in the adoption of the Ottawa Convention on anti-personnel landmines and the Statute of the International Criminal Court.

14. In the two years since the adoption of the Declaration on Human Rights Defenders, many defenders, in all regions of the world, continued to experience threats and even lose their lives because of their work for human rights. Slovenia strongly supported all efforts to establish a supervisory mechanism for the implementation of the Declaration, which should be disseminated widely. The Declaration had been published in Slovene on the occasion of Human Rights Day, 10 December 1999.

15. Slovenia welcomed the constant increase in the number of ratifications of the six core United Nations human rights instruments and sincerely hoped that the Convention on the Rights of the Child would be universally accepted in the tenth year since its entry into force. It also welcomed the conclusion of the work of the Working Group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts and hoped for the earliest possible adoption of that new instrument, aimed at ending child soldiering. In similar vein, it hoped that the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which it had been among the first countries to sign, on 10 December 1999, would enter into force promptly and that the same would be true of the Statute of the International Criminal Court, adopted in Rome in 1998. The Slovene Parliament should be ratifying the Statute by the end of the year 2000. Slovenia also supported ongoing efforts aimed at establishing principles and guidelines on the right to a remedy and reparation for victims of violations of human rights and international humanitarian law.

16. Concerning the human rights protection mechanisms, Slovenia welcomed the completion of the work of the working group on enhancing the mechanisms of the Commission and hoped for the early adoption of the proposals to reform those mechanisms. In conclusion, he reaffirmed his country's strong support for the work of the Office of the High Commissioner for Human Rights. Slovenia joined calls for an increased allocation of the United Nations regular budget to the Office and was in the process of pledging its second voluntary contribution to the Office's activities.

STATEMENT BY MR. JAN KAVAN, MINISTER FOR FOREIGN AFFAIRS OF THE CZECH REPUBLIC

17. Mr. KAVAN (Czech Republic) said that, at the dawn of the new millennium, the international community must not forget the victims of the Holocaust and other genocides which had taken place in the twentieth century and must continue to seek a proper balance between the principle of non-interference in the affairs of sovereign States and respect for the inalienable rights of every human being. At a time when globalization was constantly gaining ground, human rights must be addressed through an active, open-minded and creative policy, which was the best remedy against all threats to the future of mankind.

18. It seemed unavoidable that many contradictory opinions would be voiced at the Commission's current session as politically sensitive issues were discussed. He hoped they would not be reminiscent of the worn-out battles of the past century and that they would take place in a spirit of tolerance, dialogue and cooperation.

19. During the past year, the Czech Government had paid particular attention to the Roma problem. A comprehensive new plan for the integration of the Roma minority was under preparation, and a major campaign against racism had recently been launched. The Czech Government was fully aware of its responsibility for the Roma population. At the same time, it was convinced that there was an international dimension to the Roma issue. It had accordingly asked the Sub-Commission on the Promotion and Protection of Human Rights to address the human rights of the Roma, and was awaiting the concrete results of the Sub-Commission's work. The draft law on the rights of ethnic minorities would be ready by the end of June and the National Ombudsman Law had come into effect on 1 March 2000. The Law on Acquisition and Loss of Citizenship had been amended, and the new draft of the Police Act should reinforce citizens' guarantees in the area of individual rights and freedoms. The amended version of the Penal Code, which should come into effect in 2001, would simplify and speed up criminal proceedings.

20. The Czech Republic endeavoured to improve the human rights situation in its territory by fulfilling all its obligations under the international human rights instruments. It also hoped to join the European Union in the near future and offer other States the experience it had acquired in the area of human rights, especially during its totalitarian past. The Czech Republic was in favour of open dialogue at both bilateral and multilateral levels concerning the problems arising in each country. In that connection, in September 1999 it had received the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, whose report was to be published shortly.

21. With regard to the situation in the Balkans, the Czech Republic supported every effort by the international community, in particular the activities of UNMIK and KFOR, to achieve lasting stability throughout the region. The international community must take prompt measures to organize democratic elections in Kosovo and Serbia, ensure the safe return of refugees, ensure the release of political prisoners from Serbian prisons and promote a climate of cooperation for the nationalities living in the region. The Czech Republic condemned all forms of ethnic cleansing, whoever the victims, and supported the creation of a multi-ethnic and multicultural Kosovo with a high degree of autonomy within the Federal Republic of Yugoslavia.

22. The humanitarian crisis in Chechnya was alarming. He welcomed the fact that the High Commissioner of the Council of Europe had been able to visit the region and establish a dialogue with representatives of the Russian Federation and that it had been decided on that occasion to establish a human rights office in Grozny. He was also gratified to hear that the visit by the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, was finally to take place. He still hoped that the International Committee of the Red Cross would be able to help alleviate the human suffering, and that the Russian Government would provide for a speedy investigation of the reported killings of civilians and punish those responsible.

23. With regard to international standard-setting, he welcomed the finalization of the text of the Optional Protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts. He hoped that the protocol on the sale of children, child prostitution and child pornography, and the protocol to the Convention against Torture, would also be finalized before long. The Czech Republic had been one of the first States Members of the United Nations to sign the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in New York on 10 December 1999. It had also ratified the European Social Charter in autumn 1999 and planned to make the declaration under article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination. Draft amendments to the Constitution permitting the ratification of the Statute of the International Criminal Court had been submitted to the Czech Parliament in February 2000.

24. Two years earlier, President Havel had stated before the Commission that the major problem of the multipolar modern world was not evil as such but tolerance towards evil. He hoped that the Commission's work would help to create a world for future generations that would have little tolerance for evil.

**REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS  
AND FOLLOW-UP TO THE WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 4)  
(E/CN.4/2000/5, E/CN.4/2000/12 and Add.1; E/CN.4/2000/NGO/3)**

25. Mrs. ROBINSON (United Nations High Commissioner for Human Rights), introducing her annual report (E/CN.4/2000/12) submitted pursuant to Commission resolution 1999/54, said that prevention had been chosen as the theme of the report in view of both the Secretary-General's appeal for the current century to be the century of prevention and the Commission's interest in the issue. The report contained an addendum (E/CN.4/2000/12/Add.1) in response to the Commission's requests in resolutions 1998/21, 1999/54 and 1999/57 concerning, respectively, tolerance and pluralism, evaluation of field office activities and promotion of the right to democracy.

26. The first chapter of the report, entitled "The prevention and punishment of the crime of genocide", posed the question why it had not proved possible for the international community to intervene effectively to prevent genocide in Burundi, Rwanda and the former Yugoslavia, for example, or to halt crimes against humanity in Cambodia. Those failures pointed up the need for early warning systems, conflict prevention and accountability and underscored the importance of the Genocide Convention. The second chapter, entitled "Prevention of racism and racial discrimination", reinforced her view that racism, discrimination and xenophobia were at the root



of most of the world's conflicts. It had been cast in the context of the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and promoted the value of combating racism as a preventive measure to head off conflicts and tensions in societies.

27. The third chapter of the report dealt with the right to development and the prevention of human rights violations. As poverty was an obstacle to the enjoyment of human rights, a better course must be charted for achieving economic, social and cultural rights and the right to development. The report also set out measures to end the persistent problem of slavery in all its forms and to prevent the traffic in women and children. It also addressed the role of human rights education as a preventive measure. More generally, it outlined the major issues currently on the Commission's agenda and described the range of preventive measures currently in use or which might be used in the future.

28. She pledged to devote her energies to strengthening her Office's capacity for preventing gross violations of human rights.

29. Mr. LIU Xinsheng (China) paid tribute to the activities of the Office of the High Commissioner for Human Rights and welcomed the fact that the High Commissioner had on several occasions appealed for cooperation among countries rather than unnecessary political confrontation and had attached importance to economic, social and cultural rights and the right to development.

30. He noted with appreciation that the High Commissioner had taken useful steps in the area of advisory services and technical cooperation. With the assistance of the Office, eight annual workshops had been organized for the regional arrangements for the promotion and protection of human rights in the Asia-Pacific region. The eighth workshop, held in Beijing, had adopted a document which should guide activities in the field of human rights in 2000 and 2001 in the Asia-Pacific region.

31. The High Commissioner had stated in her report that racism, racial discrimination and genocide were serious violations of human rights. With a view to the forthcoming World Conference against Racism, the High Commissioner's Office had organized two expert seminars, and several regional preparatory meetings were also under way. The Chinese Government actively supported those efforts by the international community. In particular, it had decided to transfer the unspent portion of its contribution to the World Conference on Human Rights to the World Conference against Racism.

32. Noting that the High Commissioner's report emphasized the prevention of gross human rights violations and of conflicts, he said that preventive measures should be implemented by the international community only with the consent of the States concerned and with respect for their sovereignty. Such activities should not constitute a broadening of the Office's mandate and related mechanisms or interference into the internal affairs of the countries concerned. The role of the Office of the High Commissioner was to provide service to member States and the Commission, and the High Commissioner must carry out her mandate in keeping with General Assembly resolution 48/141.

33. The Chinese Government had always maintained positive and sincere relations with the Office of the High Commissioner. Following the High Commissioner's visit to China in 1998 and the visit to China by a team of experts from the Office in 1999, it had organized the Eighth Workshop on Regional Arrangements for the promotion and protection of human rights in the Asian and Pacific region from 1 to 3 March in Beijing. On that occasion it had held a valuable exchange of views with the High Commissioner on technical cooperation in the field of human rights, and hoped further to strengthen its cooperation with the Office of the High Commissioner and the United Nations human rights mechanisms.

34. Mr. AKRAM (Pakistan) expressed agreement with the idea that efforts to combat impunity must be integrated within an effective early-warning and conflict-prevention system because serious violations, where left unprosecuted and unpunished, might allow conflict to escalate into open hostilities, and even war. However, any human rights protection mechanisms established would only be successful if backed by the political will of States. For example, the Special Rapporteur on extrajudicial, summary or arbitrary executions had in 1993 drawn the Commission's attention to the risk of genocide in Rwanda. But the international community had opted to wait; similarly although it had been in possession of reliable information, it had not acted to prevent the deterioration of the human rights situation in the Balkans, the Caucasus or Jammu and Kashmir.

35. Paragraph 14 of the High Commissioner's report stated that violent assertions of sovereignty and nationalism were on the rise and that the integrity of nation States was increasingly challenged by forces of ethnic, cultural or linguistic separation. Nevertheless, conflicts often arose because the right of peoples to self-determination, in the broad meaning of the term, was denied, and the exercise of self-determination brutally repressed. Before elaborating new intervention mechanisms, by establishing a rapid reaction force or sending observers, it was essential for the international community to establish objective, universally-accepted criteria to guide its action in addressing gross violations of human rights and to avoid any selectivity.

36. He shared the Secretary-General's view concerning the need to introduce preventive action in situations of humanitarian emergency. But what was meant by humanitarian emergency? It was difficult to determine how many victims and how much suffering were necessary before measures should be taken. In addition, it was important not to give disproportionate attention to highly-publicized events at the expense of less spectacular, but just as unacceptable, violence related to so-called low-intensity conflicts. Pakistan awaited with interest the forthcoming debate on the concept of humanitarian intervention in the General Assembly. Humanitarian intervention must be timely and appropriate, non-discriminatory and non-selective. It must, in any event, be in conformity with the Charter of the United Nations, and must respect the principles of State sovereignty and non-interference in internal affairs. That having been said, such principles should not be an obstacle to action in situations where people were being subjected to foreign occupation or situations under United Nations jurisdiction pursuant to Security Council resolutions.

37. Although the concept of "fundamental standards of humanity" described in the High Commissioner's report was an interesting one, before studying all its aspects the international community should ensure that existing standards of international law, in particular

those relating to armed conflicts, were effectively applied and respected, in particular in situations of armed conflict. The Commission should also appoint a special rapporteur on the human rights situation in occupied territories or territories under United Nations jurisdiction.

38. The proposals in paragraph 95 of the report deserved careful attention. Generally speaking, initiatives such as the designation of eminent persons who could be called upon to offer their good offices and the dispatch of observers should take place in consultation with the Commission. It would also be useful for the report to be transmitted to other United Nations bodies, in particular the Security Council.

39. With regard to the right to development, his Government had hoped that the report would have been clearer about the Office's priorities and the nature of its relations with other international development agencies. He feared in particular that proposed structures such as the "Comprehensive Development Framework", might further restrict conditions of access to development cooperation. Poverty was one of the most evil scourges and undermined the lives of thousands of persons. Eradicating it was a tremendous challenge and an essential means of promoting development. It was for the Commission to establish a human rights protection framework which would make it possible to achieve that objective.

40. Mr. HEINEMANN (Observer for the Netherlands) said that the Netherlands supported the High Commissioner's action to prevent human rights violations and her intention to seek the assistance of partners to that end.

41. To strengthen the effectiveness of the Office, a substantial increase of funds should be made available through the regular budget of the United Nations. Human resources should also be used more effectively, through delegation of responsibilities and the establishment of clear managerial structures. The Netherlands welcomed the briefings by the High Commissioner's Office and hoped to see them become a regular practice. The presentation of the Annual Appeal 2000 had led to better understanding of funding needs, and his delegation would welcome a similar overview for the next financial year concerning the use of funds from the regular budget.

42. The Netherlands remained a dedicated supporter of the Office's work and hoped to consolidate a substantial dialogue between the Geneva missions to the United Nations and the High Commissioner.

43. Mr. NUSHIRWAN (Observer for Malaysia) emphasized the importance of a well-conceived doctrine of prevention of human rights violations. In developing such a doctrine, the following criteria must apply: it must be clear and consistent, while remaining flexible in order to deal with diverse situations; it must supplement and add value to the efforts of higher United Nations bodies, in particular the Security Council, and not duplicate them, while remaining consistent with the provisions of international law and the Charter of the United Nations; and it must have clear objectives and rules of engagement, as well as equally clear criteria for disengagement so that its presence did not become an end in itself.

44. His delegation commended the High Commissioner for her efforts to ensure greater transparency in the activities of the Office, in particular the launching of the Annual Appeal 2000. It urged donors, especially from the developed countries, to increase their contributions to the human rights programme and not to earmark those contributions, in accordance with paragraph 10 of Commission resolution 1999/54. His delegation approved the idea that the largest share of funding should go to technical cooperation projects. Malaysia and many other developing countries advocated technical cooperation aimed at national capacity-building in order to make changes at the grass-roots level. With that in mind, it proposed that the High Commissioner should be in a position to direct all unused contributions towards technical cooperation projects.

45. His delegation had read with interest chapter III of the report (E/CN.4/2000/12), entitled "The Right to Development and the Prevention of Human Rights Violations", as lack of development was in its view the major cause of massive human rights violations. It was regrettable, however, that the report did not place sufficient emphasis on the link between human rights and development.

46. Mr. KAVSADZE (Observer for Georgia) said that the Office of the High Commissioner held great importance for States which had recently gained independence and were facing the problem of refugees and displaced persons, especially regarding the defence of fundamental rights, such as freedom of expression, enshrined in the International Bill of Human Rights. The implementation mechanisms contained in the Charter should be strengthened and made more flexible. Efforts to do so could be coordinated by the High Commissioner for Human Rights and the Commission. The Commission should become an independent structure on a par with the Economic and Social Council, and should include the human rights NGOs, because of the active and constructive role they had been playing.

47. In addition, the Office of the High Commissioner and the Commission should establish a joint working group to consider human rights situations and should also consider establishing a permanent television station to broadcast information on such situations.

48. Turning to the High Commissioner's report (E/CN.4/2000/12 and Add.1), he said that Georgia would like the structure of the local branch of the High Commissioner's Office in Sukumi to be reviewed. Its presence had not yielded the expected results. Generally speaking, moreover, a working group should be asked to assess the effectiveness of the technical cooperation and advisory services provided to countries.

49. Finally, Georgia believed that ethnic cleansing fell within the purview of the Convention on the Prevention and Punishment of the Crime of Genocide, and was not subject to a statute of limitations. However, those responsible for ethnic cleansing policies were yet to be punished.

50. Mr. MOUNIR (Observer for Egypt) welcomed the fact that the High Commissioner's report emphasized the need for prevention of human rights violations, in particular the establishment of a reliable early-warning mechanism and emergency response procedure to address unforeseen situations.

51. In Egypt's view poverty created situations that were conducive to human rights violations. Consequently, cooperation should be strengthened between the Office of the High Commissioner for Human Rights and United Nations programmes and bodies dealing with development or combating poverty, ignorance and disease. In that connection the international community in general and the developed countries in particular should be given a strong reminder that achieving the right to development was the best means of guaranteeing respect for human rights.

52. Mr. LITTMAN (Association for World Education) said that there was danger in attempting to modify the concept of universality of human rights, to which no exception should be made. He objected to the inclusion, in the United Nations publication, A Compilation of International Instruments Vol. II: Regional Instruments, of an essentially religious document submitted by a non-regional body. His organization's written statement (E/CN.4/2000/NGO/3) concluded with an urgent appeal to rectify that anomalous situation, as there should be no religious documents in the Compilation. It recommended that all future printings of Volume II, in all official languages, should omit the pages which reproduced a resolution by an intergovernmental organization which could not be considered a regional body by any stretch of the imagination; the inclusion of the text might create a regrettable precedent which might confuse the international legal framework for all United Nations human rights decisions and resolutions.

53. The Association for World Education had been especially heartened to note that paragraph 59 of the High Commissioner's report (E/CN.4/2000/12), in the section entitled "Traditional slavery", contained a reference to practices occurring in the Sudan. The Association, together with other NGOs such as Christian Solidarity International (CSI), regularly denounced slavery in the Sudan. The consultative status of CSI had been withdrawn, ostensibly because of procedural errors on its part, whereas the real reason was clearly its campaign against slavery in the Sudan. And yet, slavery was truly a "crime against humanity".

54. Mr. WADLOW (Association of World Citizens) welcomed the report of the High Commissioner for Human Rights (E/CN.4/2000/12), which correctly emphasized prevention and early-warning procedures. The error made in 1993, when the risk of genocide in Rwanda had been disregarded, must not be repeated.

55. Three types of situations required priority supervision: declared armed conflicts, discussed in detail in document E/CN.4/2000/NGO/1; events which indicated a negative trend, where the Commission could fulfil its early-warning function, discussed in document E/CN.4/2000/NGO/2; and structural violence, which was linked to the issues of development and social injustice.

56. Such situations required action by three types of actors: the States on whose territory armed conflicts, negative trends, or unjust structures existed; the United Nations human rights secretariat, all of whose members, together with the Special Rapporteurs of the Commission, should be guaranteed independence in their work; and, finally, the NGOs.

57. There was much work to be done to articulate relations between the various actors: representatives of States, the United Nations Secretariat and NGOs. There were growing Government pressures on NGOs in United Nations forums. The present United Nations-NGO system should therefore be reformed, in order to empower civil society within the United Nations system, with democratic principles in mind.

58. Mr. MALGUINOV (Russian Federation), speaking in exercise of the right of reply, said it was regrettable that the Ministers for Foreign Affairs of Portugal and Poland had so little understanding of, or perhaps deliberately misunderstood, the real situation in Chechnya, where the Russian Federation was conducting anti-terrorist operations aimed at preserving its territorial integrity and enforcing its Constitution. The Polish Government appeared to entertain doubts. That was not surprising considering the fact that the Polish police had allowed hoodlums to break into the Russian embassy in Warsaw and remove the Russian flag.

59. Those who denounced human rights violations in Chechnya made no mention of the thousands of abductions committed by the Chechen terrorists, whose victims had included two Polish citizens. In any event, the Special Representative of the President for Human Rights, the parliamentary commission established for that purpose and the Public Prosecutor's Office would ensure that the violations in question were properly investigated. His delegation also had available, for those who wished to consult it, a long list of organizations and eminent persons who had visited Chechnya in recent months. The Government of the Russian Federation was actively endeavouring to restore human rights in Chechnya and, precisely, to reach a political settlement of the problem.

60. Politicizing the Commission's discussion of the issue would do nothing to enhance human rights.

The meeting rose at 5.35 p.m.